



LFW

PATENT  
Customer No. 22,852  
Attorney Docket No. 3495.0358 (old 2356.0091)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
HOVANESSIAN et al. ) Group Art Unit: 1648  
)  
Application No.: 10/820,816 ) Examiner: A. Boesen  
)  
Filed: April 9, 2004 )  
)  
For: NOVEL SYNTHETIC PEPTIDE ) Confirmation No.: 9491  
VACCINES FOR HIV: THE CBD )  
EPI TOPE AS AN EFFECTIVE )  
IMMUNOGEN TO ELICIT )  
BROADLY NEUTRALIZING )  
ANTIBODIES AGAINST HIV )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In a restriction requirement dated May 2, 2006, the Examiner required restriction under 35 U.S.C. § 121 between:

- I. Claims 1-9, 13-16, 26, 28, and 32, drawn to a pharmaceutical composition comprising at least one peptide, classified in class 530, subclass 300.
- II. Claim 17, drawn to a nucleic acid encoding the peptides of any one of SEQ ID NO: 1 to SEQ ID NO: 9, and SEQ ID NO: 11 to SEQ ID NO: 18, classified in class 536, subclass 23.1.
- III. Claims 18-20 and 22, drawn to monoclonal, polyclonal and oligoclonal antibodies, classified in class 530, subclass 387.1.
- IV. Claim 21, drawn to a method for detecting the presence of HIV in a biological sample, classified in class 435, subclass 5.

- V. Claim 25, drawn to a method of measuring the presence of neutralizing antibodies in a biological sample, classified in class 435, subclass 7.1.
- VI. Claim 30, drawn to a method of selecting or isolating anti-HIV molecules, classified in class 435, subclass 5.

Applicants provisionally elect to prosecute Group I, claims 1-9, 13-16, 26, 28, and 32, drawn to a pharmaceutical composition comprising at least one peptide, with traverse.

Applicants further elect amino acid sequence numbers SEQ ID NO: 1, with traverse.

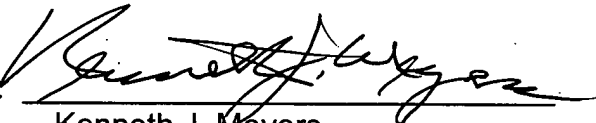
Applicants traverse on the ground that SEQ ID NO: 1 is the consensus motif present in all strains of HIV-1 and HIV-2. SEQ ID NOs: 2, 4, and 5 are several embodiments that incorporate this motif. Thus, SEQ ID NOs: 2, 4, and 5 should be examined with SEQ ID NO: 1.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: May 18, 2006

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